

## CLASSIFICATION OFFICE DECISION

**Title of publication:** Gallery\_149\_Nikola\_and\_Igr\_Photo\_290.jpg

**Other known title(s):** Not stated

**OFLC ref:** 1100548.011

**Medium:** Computer Image File

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** the High Court at Wellington

<b>Classification:</b>	Objectionable.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 29 June 2011

**Date of direction to issue a label:** No direction to issue a label has been issued

### Summary of reasons for decision:

The picture depicts two young teenage boys who are naked and have clearly been engaging in sexual activity. They are shown in a state of sexual arousal. The publication encourages a sexual interest in children and young persons. It also advances the idea that boys are ready for adult forms of sexual activity. As such it promotes and supports the exploitation of children and young persons for sexual purposes, and is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children and young persons for sexual purposes.